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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO.              |
|---|-------------|----------------------|---------------------|-------------------------------|
| 09/976,885  | 10/10/2001  | William R. Bush      | 6502.0357-00        | 2176                          |
| 22852   | 7590        | 06/29/2005           |                     |                               |
| FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER<br>LLP<br>901 NEW YORK AVENUE, NW<br>WASHINGTON, DC 20001-4413 |             |                      |                     | EXAMINER<br>DADA, BEEMNET W   |
|   |             |                      |                     | ART UNIT<br>2135 PAPER NUMBER |

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                             |                  |  |
|------------------------------|-----------------------------|------------------|--|
| <b>Office Action Summary</b> | Application No.             | Applicant(s)     |  |
|                              | 09/976,885                  | BUSH ET AL.      |  |
|                              | Examiner<br>Beemnet W. Dada | Art Unit<br>2135 |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 10 October 2001.

2a) This action is FINAL.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-29 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-29 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/17/03, 12/19/03, 4/25/04

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-29 have been examined.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6, 10-21 and 25-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Gong WO 99/30217.

4. As per claim 1 and 25, Gong teaches a method for providing security, comprising: separating a plurality of classes into at least a first trusted class and an untrusted class

[page 3, lines 7-17 and page 8, line 37- page 9, line 24];

associating privilege information (i.e., permissions) with the first trusted class [page 3, lines 7-24]; and

controlling access to the first trusted class by the untrusted class or a second trusted class based upon the privilege information associating with the first trusted class [page 13, line 34 - page 14, line27].

5. As per claim 18, Gong teaches a secure virtual machine instruction processor comprising:

a first memory space for storing an untrusted class and a second memory space for storing a first trusted class [page 13, lines 1-9, page 3, lines 7-17 and page 8, line 37- page 9, line 24];

a privilege manager for managing privilege information associated with the first trusted class [page 3, lines 7-24]; and

a controller for controlling access to the first trusted class during a trusted class operation, wherein the controller is operative to receive a request for the trusted class operation from the untrusted class or a second trusted class and grant access to the first trusted class based on at least one permissive attribute within the privilege information for the first trusted class [page 13, line 34 - page 14, line27].

6. As per claims 2, 3, 20, 21, 26 and 27, Gong further teaches granting/refusing privileges based upon permissive attribute of privilege information and the step of controlling access depends upon the privilege [page 14, lines 4-38].

7. As per claim 4, Gong further teaches permitting access to the trusted class in a predetermined manner if the privilege permits the access [page 14, lines 23-35].

8. As per claim 5, Gong further teaches denying the access in a predetermined manner if the access to the first trusted class in the predefined manner is contrary to the privilege [page 14, lines 23-38].

9. As per claim 6, Gong further teaches wherein the privilege allows at least one of the group of creating a subclass of the first trusted class, creating a new instance of the first trusted

class, allowing the untrusted class or second trusted class to invoke a method of the first trusted class, and allowing the untrusted class or second trusted class access to trusted data of the first trusted class [column 13, lines 17-38].

10. As per claim 10, Gong further teaches allocating a separate memory space for the first class and untrusted class [page 13, lines 1-9, page 3, lines 7-17 and page 8, line 37- page 9, line 24].

11. As per claims 11-14 and 19, Gong further teaches the privilege information further comprises a plurality of permissive attributes [see page 9, line28 – page 10 line 22].

12. AS per claims 15-17 and 28-29 Gong further teaches controlling access to the first class including detecting when a request for a trusted class peration is made by the untrusted class or second trusted class determining that the trusted class operation is authorized based on the privilege information associated with the first trusted class and allowing access to the first trusted class according to the trusted class operation [page 14, lines 23-35].

### ***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

14. Claims 7-9 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gong WO 99/30217 in view of Papa et al. (Ref U).

15. As per claims 7-9 and 22-24 Gong teaches the method as applied to claims 1 and 18 above. Gong is silent on separating classes further comprising associating a package with a trusted class. However, Papa et al teaches associating a package with a trusted class, wherein associating the package further comprises encapsulating the first trusted class within the package [see page 67-68, sections 2.1, java package protection model, 2.2 authorization model]. It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to employ the teachings of Papa et al within the system of Gong thereby allowing associating a package with a trusted class and providing protection within a package level.

### ***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO form 892.

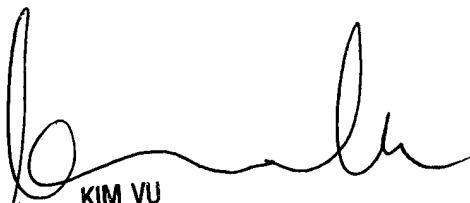
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W. Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Beemnet Dada

June 23, 2005



KIM VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100